



## MEMORANDUM

Agenda Item No. 11(B)2

**TO:** Honorable Dennis C. Moss, Chairperson  
and Members, Transportation Committee

**DATE:** September 9, 2004

**SUBJECT:** Report regarding Passenger Motor  
Carrier Code revisions

**FROM:** George M. Burgess  
County Manager

This report is provided in response to a request at the June 17, 2004, Transportation Committee meeting for a written report regarding revisions to the Passenger Motor Carrier (PMC) provisions of the Code. The first portion of this report provides a historical explanation of revisions to Code sections dealing with for-hire regulations. The second portion provides specific information relative to the PMC provisions.

In 1991, the Board approved a resolution directing the Consumer Services Department (CSD) to conduct a review of all for-hire ordinances, prepare a report, and have a ground transportation regulatory advisory committee (G-TRAC) review within 45 days. The review and report were completed. CSD was then tasked with preparing proposed ordinances for review by G-TRAC.

The G-TRAC review was a protracted, greater than two-year process. Staff did not agree with many of G-TRAC's directions. Notwithstanding, the general tenet was to create one standard ordinance with separate sections that were industry specific.

In 1992, 1993 and 1994, the Board approved a series of phased reforms. Specifically, a maximum vehicle age (15 years) was established for all categories except private school bus, a vehicle inspection frequency schedule was established based on vehicle age, and uniform and enhanced standards for all for-hire chauffeurs, including civil violations, were established.

Staff continued the review of for-hire reform proposals following GTRAC's expiration in 1994 and, in 1996, a first reading ordinance was submitted for Board consideration. This ordinance, which encompassed all for-hire categories, was approved on first reading, had numerous workshops and was scheduled for public hearing in September, 1996. The public hearing was deferred.

Ultimately, a decision was made to proceed on an industry-by-industry basis. Taxicab industry reforms were approved in July, 1998. Limousine industry reforms were approved in November, 2000. While ambulance is not considered part of the for-hire industry, ambulance ordinance revisions were also being developed and an ordinance was adopted in March, 2001.

The PMC provisions are found in Article III, Chapter 31 and govern vehicles seating ten persons or more and providing route and non route service. Route service encompasses jitneys and fixed route service. Non route service covers charter, contract and special operations (e.g. tour vans, transportation to doctor appointments, and airport transfers). Limited certificates and circulators are two other categories under the PMC ordinance. The former assists Miami-Dade Transit with qualified vendors; the latter relates to cities.

As stated above, the PMC revisions were originally intended to be part of the comprehensive for-hire ordinance, and the Code amendments made in 1992, 1993, and 1994 did apply to PMC's. However, when the industry-by-industry approach was adopted, the taxicab and limousine industries were addressed first.

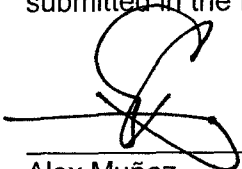
In 1998, staff became concerned about the large number of PMC applications being submitted because Code changes were necessary, some vehicles falling under PMC were more appropriate under the limousine ordinance, and there existed an opportunity for inconsistencies overall. As a result, staff recommended, and in December 1998 the Board approved, a moratorium on the acceptance of new PMC applications, with the exception of 1) municipal circulator service, 2) emergencies, 3) circumstances where the County Manager states that issuance is in the best interest of the County, or 4) issuance of temporary certificates. Applications that were already on file were processed and completed. Amendments to the PMC Code were anticipated to be submitted by October, 1999; however, work on revisions to the other industries, the implementation of those changes, and intervening priorities delayed the process. During this time period, applications for transfers of certificates have continued to be accepted and processed.

In April 2003, a draft PMC ordinance was circulated to affected industry. Based on a variety of concerns that arose during an industry workshop in May 2003, and obtained in written comments, a determination was made to separate route and non route instead of combining them in a single regulation. Drafting has progressed in this direction. In the meantime, CSD separated the chauffeur training programs for the route and non route categories in late 2003, to allow for curriculum and testing that is more targeted to the particular type of service being provided.

Route Motor Carrier (jitneys, fixed route and circulators) will be recommended to continue in Article III, Chapter 31. This type of service will be subject to similar public notice, protest and public hearing requirements as currently exist. A variety of issues still need to be resolved, such as issues relating to vehicle ownership, vehicle standards and ADA compatibility.

Passenger Motor Carriers (charter, contract and special operations) will be recommended to be created in a new article of Chapter 31. This ordinance is being modeled after the limousine ordinance with administrative licensing, thus eliminating the need for Board approval for these routine items. Many elements still need additional discussion and resolution, such as issues relating to vehicle standards, ADA compatibility, and prearrangement.

In each case additional drafting and industry input is needed. Representatives of the taxicab and limousine industries have expressed concern regarding PMC revisions, especially those relating to non-route service, as they view this sector of the industry as impacting them. Input will be obtained from these industries as well. It is anticipated that final proposals will be submitted in the December 2004 to January 2005 timeframe.

  
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Alex Muñoz  
Assistant County Manager

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